

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Frank C. Brown, Jr.,

Plaintiff,

v.

Case No. 2:10-cv-283

Warden Deb Timmerman-Cooper,
et al.,

JUDGE SARGUS

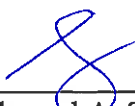
Defendants.

ORDER

The complaint in this action was filed on April 2, 2010. On June 4, 2010, plaintiff moved for a default judgment against all defendants. However, as subsequent orders of the Court reflect, at that time, no defendant had been properly served with a summons and complaint. Summons has since been issued, and the defendants were served by the Marshal on September 27, 2010. Under these circumstances, the motion for default judgment (#5) is not well-taken and it is therefore **DENIED.**

IT IS SO ORDERED.

Date: 11-9-2010



Edmund A. Sargus, Jr.
United States District Judge